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December 16, 2024

By ECF and Email

The Honorable John P. Cronan
United States District Judge
Southern District of New York
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Re: *Marciniak v. Massachusetts Institute of Technology et al.*, No. 1:23-cv-10305

Dear Judge Cronan:

We represent defendants The Rockefeller University (“RU”) and Dr. Winrich Freiwald (“Dr. Freiwald”) (collectively “RU Defendants”) in the above-captioned matter. In accordance with Your Honor’s Individual Practices Rule 3. B., we write to request an adjournment of the conference currently scheduled before Your Honor on Wednesday, December 18, 2024 at 3:30 p.m. (and originally scheduled for Wednesday, December 18, 2024 at 2:30 p.m.) regarding the status of this case.

The RU Defendants are requesting an adjournment due to a scheduling conflict, as lead counsel for the RU Defendants currently must appear on the afternoon of December 18, 2024 for the deposition of a third party treating doctor who has been subpoenaed to appear in the matter captioned *Margaret Doe v. Bloomberg L.P. et al.*, No. 28254/2016 pending in Bronx County Supreme Court.

The RU Defendants have contacted all parties to get their availability for an adjournment. While Defendants Massachusetts Institute of Technology (“MIT”) and Frederico Azevedo consent to an adjournment, Ms. Clancy does not consent to the request. We respectfully request that the conference be rescheduled to the morning of December 18, 2024 at any time before noon. If that does not work for the Court, we respectfully request that the conference be adjourned to the morning of December 19, 2024 before 11:00 a.m. All Defendants are available at these times. Ms. Clancy has another in-person conference before the Southern District of New York in White Plains on December 18, 2024, and is out of office on December 20, 2024, but she has represented that she can have another attorney from her office appear on the firm’s behalf. We do not know Plaintiff’s and her counsel’s availability on December 19, 2024, but given the timing, we wanted to submit this letter as soon as possible without further delay in assessing availability.

This is the RU Defendants’ first request for an adjournment.

While counsel for the RU Defendants will appear in person for this conference, counsel for MIT has asked to participate telephonically if the conference is rescheduled to one of the above requested times, and we have no objection to this if the Court permits telephonic participation.



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Additionally, if neither of the above requested times works for the Court, and with the Court's permission, two other lawyers can appear on behalf of the RU Defendants for the court conference as currently scheduled (on December 18, 2024 at 3:30 p.m.).

We thank the Court for its attention to this matter.


Respectfully submitted,

/s/ Elise M. Bloom

Elise M. Bloom

The request is denied. Two other lawyers may appear on behalf of the RU Defendants at the conference scheduled for December 18 at 3:30 p.m.

SO ORDERED
December 16, 2024
New York, New York


JOHN P. CRONAN
United States District Judge